

(3) Observe an out-of-channel EIRP limit of -57.1 dBW/30 kHz at the edge of the licensed MSS frequency assignment.

(4) ATC mobile terminals operating in assigned frequencies in the 1610–1626.5 MHz band shall not generate EIRP density, averaged over any two-millisecond active transmission interval, greater than -70 dBW/MHz in the 1559–1605 MHz band or greater than a level determined by linear interpolation in the 1605–1610 MHz band, from -70 dBW/MHz at 1605 MHz to -10 dBW/MHz at 1610 MHz. The EIRP, averaged over any two-millisecond active transmission interval, of discrete out-of-band emissions of less than 700 Hz bandwidth from such mobile terminals shall not exceed -80 dBW in the 1559–1605 MHz band or exceed a level determined by linear interpolation in the 1605–1610 MHz band, from -80 dBW at 1605 MHz to -20 dBW at 1610 MHz. The EIRP density of carrier-off-state emissions from such mobile terminals shall not exceed -80 dBW/MHz in the 1559–1610 MHz band, averaged over a two-millisecond interval. A root-mean-square detector function with a resolution bandwidth of one megahertz or equivalent and no less video bandwidth shall be used to measure wideband EIRP density for purposes of this rule, and narrowband EIRP shall be measured with a root-mean-square detector function with a resolution bandwidth of one kilohertz or equivalent.

(c) Applicants for an ancillary terrestrial component to be used in conjunction with a mobile-satellite service system using CDMA technology shall coordinate the use of the Big LEO MSS spectrum designated for CDMA systems using the framework established by the ITU in Recommendation ITU-R M.1186 “Technical Considerations for the Coordination Between Mobile Satellite Service (MSS) Networks Utilizing Code Division Multiple Access (CDMA) and Other Spread Spectrum Techniques in the 1–3 GHz Band” (1995). Recommendation ITU-R M.1186 is incorporated by reference. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of this standard can be inspected at the Federal Communica-

tions Commission, 445 12th Street, SW., Washington, DC (Reference Information Center) or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. The ITU-R Recommendations can also be purchased from the International Telecommunication Union (ITU), Place des Nations, CH-1211 Geneva 20, Switzerland.

NOTE TO § 25.254: The preceding rules of § 25.254 are based on cdma2000 and IS-95 system architecture. To the extent that a Big LEO MSS licensee is able to demonstrate that the use of different system architectures would produce no greater potential interference than that produced as a result of implementing the rules of this section, an MSS licensee is permitted to apply for ATC authorization based on another system architecture.

[68 FR 33653, June 5, 2003, as amended at 69 FR 18803, Apr. 9, 2004; 70 FR 19320, Apr. 13, 2005]

§ 25.255 Procedures for resolving harmful interference related to operation of ancillary terrestrial components operating in the 1.5/1.6 GHz, 1.6/2.4 GHz and 2 GHz bands.

If harmful interference is caused to other services by ancillary MSS ATC operations, either from ATC base stations or mobile terminals, the MSS ATC operator must resolve any such interference. If the MSS ATC operator claims to have resolved the interference and other operators claim that interference has not been resolved, then the parties to the dispute may petition the Commission for a resolution of their claims.

[68 FR 33653, June 5, 2003]

§ 25.256 Special Requirements for operations in the 3.65–3.7 GHz band.

Upon request from a terrestrial licensee authorized under Subpart Z, Part 90 that seeks to place base and fixed stations in operation within 150 km of a primary earth station, licensees of earth stations operating on a primary basis in the fixed satellite service in the 3.65–3.7 GHz band must negotiate in good faith with that terrestrial licensee to arrive at mutually agreeable

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operating parameters to prevent unacceptable interference.

[70 FR 24725, May 11, 2005]

§ 25.257 Special requirements for operations in the band 29.1–29.25 GHz between NGSO MSS and LMDS.

(a) Non-geostationary mobile satellite service (NGSO MSS) operators shall be licensed to use the 29.1–29.25 GHz band for Earth-to-space transmissions from feeder link earth station complexes. A “feeder link earth station complex” may include up to three (3) earth station groups, with each earth station group having up to four (4) antennas, located within a radius of 75 km of a given set of geographic coordinates provided by a NGSO MSS licensee or applicants pursuant to § 101.147.

(b) A maximum of seven (7) feeder link earth station complexes in the contiguous United States, Alaska and Hawaii may be placed into operation, in the largest 100 MSAs, in the band 29.1–29.25 GHz in accordance with § 25.203 and § 101.147 of this chapter.

(c) One of the NGSO MSS operators licensed to use the 29.1–29.25 GHz band may specify geographic coordinates for a maximum of eight feeder link earth station complexes that transmit in the 29.1–29.25 GHz band. The other NGSO MSS operator licensed to use the 29.1–29.25 GHz band may specify geographic coordinates for a maximum of two feeder link earth station complexes that transmit in the 29.1–29.25 GHz band.

(d) Additional NGSO MSS operators may be licensed in this band if the additional NGSO MSS operator shows that its system can share with the existing NGSO MSS systems.

(e) All NGSO MSS operators shall cooperate fully and make reasonable efforts to identify mutually acceptable locations for feeder link earth station complexes. In this connection, any single NGSO MSS operator shall only identify one feeder link earth station complex protection zone in each category identified in § 101.147(c)(2) of this chapter until the other NGSO MSS operator has been given an opportunity to select a location from the same category.

[61 FR 44181, Aug. 28, 1996]

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§ 25.258 Sharing between NGSO MSS Feeder links Stations and GSO FSS services in the 29.25–29.5 GHz Bands.

(a) Operators of NGSO MSS feeder link earth stations and GSO FSS earth stations in the band 29.25 to 29.5 GHz where both services have a co-primary allocation shall cooperate fully in order to coordinate their systems. During the coordination process both service operators shall exchange the necessary technical parameters required for coordination.

(b) Licensed GSO FSS systems shall, to the maximum extent possible, operate with frequency/polarization selections, in the vicinity of operational or planned NGSO MSS feeder link earth station complexes, that will minimize instances of unacceptable interference to the GSO FSS space stations. Earth station licensees operating with GSO FSS systems shall be capable of providing earth station locations to support coordination of NGSO MSS feeder link stations under paragraphs (a) and (c) of this section. Operation of ubiquitously deployed GSO FSS earth stations in the 29.25–29.5 GHz frequency band shall conform to the rules contained in § 25.138.

(c) Applicants for authority to use the 29.25–29.5 GHz band for NGSO MSS feeder uplinks will have to demonstrate that their systems can share with GSO FSS and NGSO MSS systems that have been authorized for operation in that band.

[67 FR 37336, May 29, 2002, as amended at 68 FR 16967, Apr. 8, 2003]

§ 25.259 Time sharing between NOAA meteorological satellite systems and non-voice, non-geostationary satellite systems in the 137–138 MHz band.

(a) A non-voice, non-geostationary mobile-satellite service system licensee (“NVNG licensee”) time-sharing spectrum in the 137–138 MHz frequency band shall not transmit signals into the “protection areas” of National Oceanic and Atmospheric Administration (“NOAA”) satellite systems. When calculating the protection areas for a NOAA satellite in the 137.333–137.367 MHz, 137.485–137.515 MHz, 137.605–137.635 MHz and 137.753–137.787 MHz bands, a